

Filing Documents in Criminal Cases

At this time, criminal case initiating documents may not be filed electronically; these types of documents must be filed with the Clerk of Court. The case will be opened by the Clerk's Office, and all electronic filing participants attached to the case at that time will receive a Notice of Electronic Filing (NEF) email unless the case is sealed. This email will indicate that the case has been opened and will provide a link to the case initiating document.

The NEF will contain the case number, a hyperlink to the docket sheet (access requires a PACER login and password), the document number, and a hyperlink to the scanned case initiating PDF document (Access requires a PACER login and password, however, participants will receive a free look at the document). Case participants may file their public documents electronically once the case has been opened by the clerk unless the case is sealed. Documents to be filed in sealed cases must be presented to the Clerk's Office in paper format.

Sealed Documents

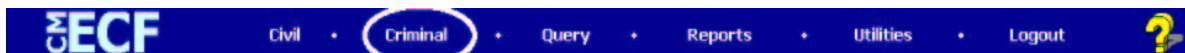
The system will not allow an attorney user to cause a PDF to be sealed in the system. Attorney users who attempt to file a sealed document will receive notification of this fact prior to the final acceptance screen. Therefore, sealed documents must be submitted to the Clerk's Office for filing during normal business hours.

E-Filing Documents in Criminal Cases - A Step By Step Guide

Filing in criminal cases is very similar to filing in a civil case except that the menu options differ slightly. Registered filers will use the ***Criminal*** menu option to electronically file (or "e-file") PDF documents with the Court in all criminal (CR) and magistrate (MJ) cases. This section of the User's Manual describes the process for filing a **Motion** in a criminal case.

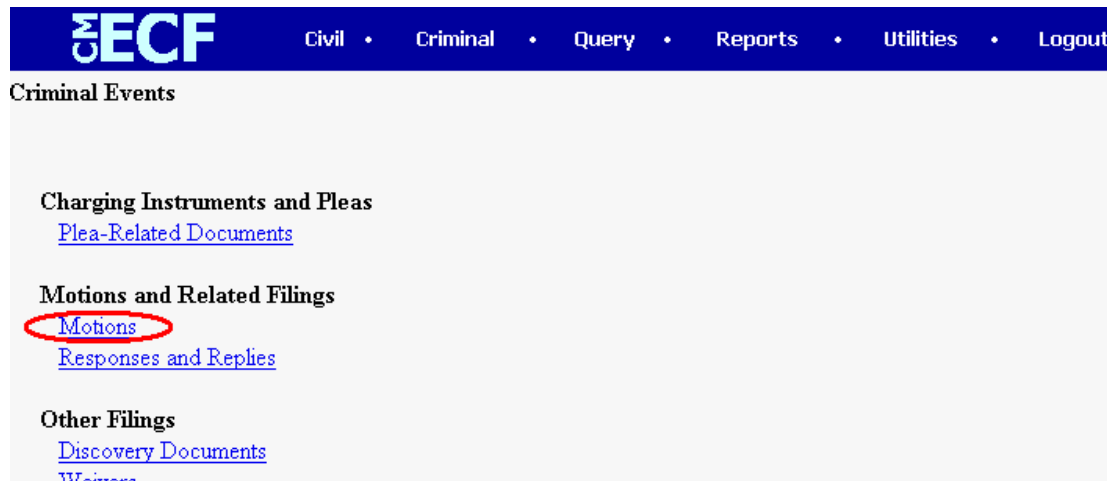
After successfully logging into ECF, follow these steps to e-file a pleading in a criminal case.

Step 1: Select "Criminal" from the Blue Menu Bar



Mouse-clicking the ***criminal*** menu option located in the **blue** menu bar will open the criminal menu which displays all of the events from which you may choose for your filing.

Click on "**Motions**" under Motions and Related Filings as shown below:



Step 2: Enter the Case Number in which the Document is to be Filed

Enter the number of the case in which you are filing a motion and click on [\[Next\]](#).

A screenshot of the ECF system's 'Motions' page. The top navigation bar is blue with the ECF logo and links for Civil, Criminal, and Query. The page title 'Motions' is in blue. Below it, there is a section titled 'Case Number' with a text input field containing '02-100'. To the right of the input field, a yellow tooltip displays the accepted case number formats: '99-12345, 1-99-cv-12345, 1-99-cv-12345, 99cv12345, or 1-99cv12345'. At the bottom of the section are two buttons: 'Next' and 'Clear'.

Note: Case numbers may be entered in any of the formats shown above.

If the case number has been entered incorrectly, click [\[Clear\]](#) to re-enter. If the computer prompts that you entered an invalid case number, click [\[Back\]](#) to re-enter. When the case number is correct, click [\[Next\]](#).

If you enter a case number using the 99-12345 format, you may see the following screen:

There is more than one case that matches the number entered; select the appropriate case below.

☒ 1:04-cr-00003-SPM-AK - USA v. GARCIA
☐ 3:04-cr-00003-LC - USA v. ESTRADA-FLORES
☐ 4:04-cr-00003-RH-WCS - USA v. ROLLINS et al
☐ 5:04-cr-00003-MCR - USA v. GAYLE
☐ 1:04-mj-00003-AK - USA v. MILLER
☐ 3:04-mj-00003-MD - USA v. MECCA
☐ 5:04-mj-00003-LB - USA v. WELLS

Check the box in front of the appropriate case and click [\[Next\]](#).

Step 3: Designate the defendant(s) to Which the Filing Relates

Click in the boxes to place a check next to each defendant's name to which the filing relates. If it relates to all defendants in the case, check the box for **"All Defendants"** and leave the other boxes unchecked. Click on [\[Next\]](#) when finished selecting defendants.

ECF Civil • Criminal

Motions

Select defendants

☐ 8-02-cr-100-1 - Butch Cassidy
☐ 8-02-cr-100-2 - Sundance Kid
☒ All defendants

Step 4: Verify that the Case Number and Case Caption Are Correct

ECF Civil • Criminal

Motions

Click next if case number and caption are correct.

8:02-cr-00100 USA v. Cassidy et al

Next Clear

If the case number and caption are incorrect, use the [\[Back\]](#) button on the browser's tool bar to return to the case number screen shown in Step 2 and type in the correct case number in accordance with the allowable format options.

Step 5: Designate the Party(ies) Filing the Document

Highlight the name of the party or parties filing the motion. If you represent more than one party or are filing on the behalf of more than one party, then you may select the entire group by selecting the first party, pressing and holding down the control (Ctrl) key, and selecting the remaining parties as shown below. The shift key performs the same operation **but only if the parties to be selected are adjacent to one another**.

Click on the [\[Next\]](#) button after highlighting the applicable names.

Select the filer.

Select the Party:

- USA, [Plaintiff]
- ROLLINS, CULLEN LORENZO JR(1) [Defendant]
- MCKINNEY, MAURICE PERNELL (2) [Defendant]

Step 6: Creating an Attorney/Party Association

If this is the first e-filing made by an attorney for a party in a case, the system will ask the user to make a party/attorney association as shown in the example below:

ECF Civil • Criminal • Query • Reports • Utilities • Logout

Motions
[1:04-cv-00003-MP-AK HARRIS v. PARROT et al](#)

The following attorney/party associations do not exist for this case.
 Please check which associations should be created for this case:

☐ BARTOUS, D(pty:dft) represented by hitchcock, alfred (aty)

☐ PARROT, (pty:dft) represented by hitchcock, alfred (aty)

☐ RICKS, I(pty:dft) represented by hitchcock, alfred (aty)

If you intend to represent the filing party in this case, check the box located to the left of the party's name and then click [\[Next\]](#). Creating an attorney/party association will cause the filing attorney's name to be added to the docket sheet. The filing attorney will also receive Notice of Electronic Filings (NEFs) in the case.

If you are filing for an attorney who is unavailable (i.e., on vacation, out of the office, etc.), you are using your own ECF password and login, and you do not intend to represent the party in this action, **do not** check the association box(es) and click [\[Next\]](#). Your name will not be added to the docket sheet header, you will not be an attorney of record in the case, and you will not receive NEFs regarding future filings.

Step 7: Choose the Correct Event from the Criminal Motions Menu

The **Motions** screen appears and displays a motion selection field.

Acquittal
 Alter Judgment
 Amend/Correct
 Appeal In Forma Pauperis
 Appear
 Appear Pro Hac Vice
 Appoint Counsel
 Appoint Expert

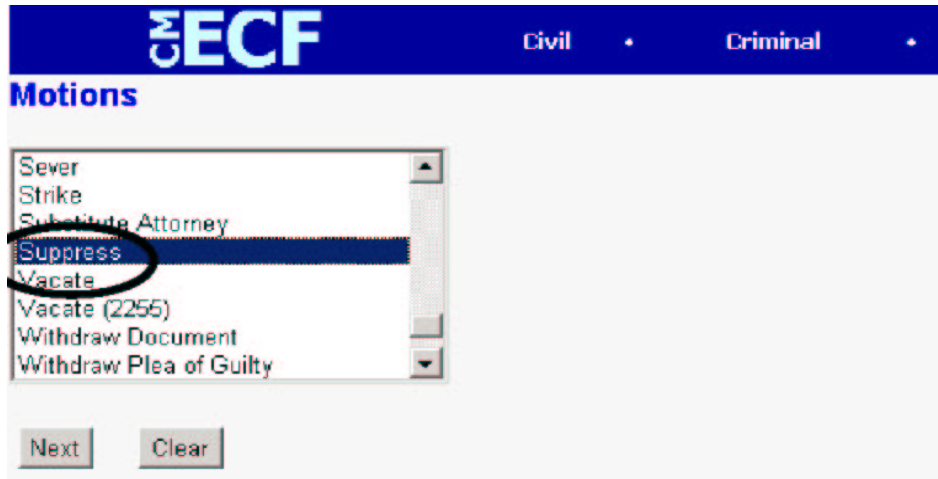
Menu options may be selected using multiple techniques:

- Use the mouse to scroll through the menu options and click on the desired motion

“relief”;

- Use the arrow keys on your keyboard to move through the menu options and select the desired motion “relief”; and
- Type the first letter of the desired relief on your keyboard. This technique will take you directly to the beginning of the alphabetical listing for all motion “reliefs” beginning with that letter. The user may continue moving through the list by repeatedly striking the initial letter on the keyboard.

For demonstration purposes, highlight "Suppress" and click on [\[Next\]](#).



Note: Multiple motion “reliefs” may be selected *within the same menu category* using the mouse and the control [Ctrl] key. The user should first click on the initial relief, press the control key on the keyboard, and select additional reliefs applicable to the pleading.

This technique should only be used when the selections are related to the motion request as a whole. Do not select multiple reliefs if they involve unrelated requests such as a “Motion to Sever” and a “Motion to Substitute Attorney”.

Unrelated motions should be filed using *separate CM/ECF entries* so that each PDF receives a unique docket entry number which may be later referenced by the applicable judge within an order.

Step 8: Specify the PDF File to be Uploaded into the Court's Database

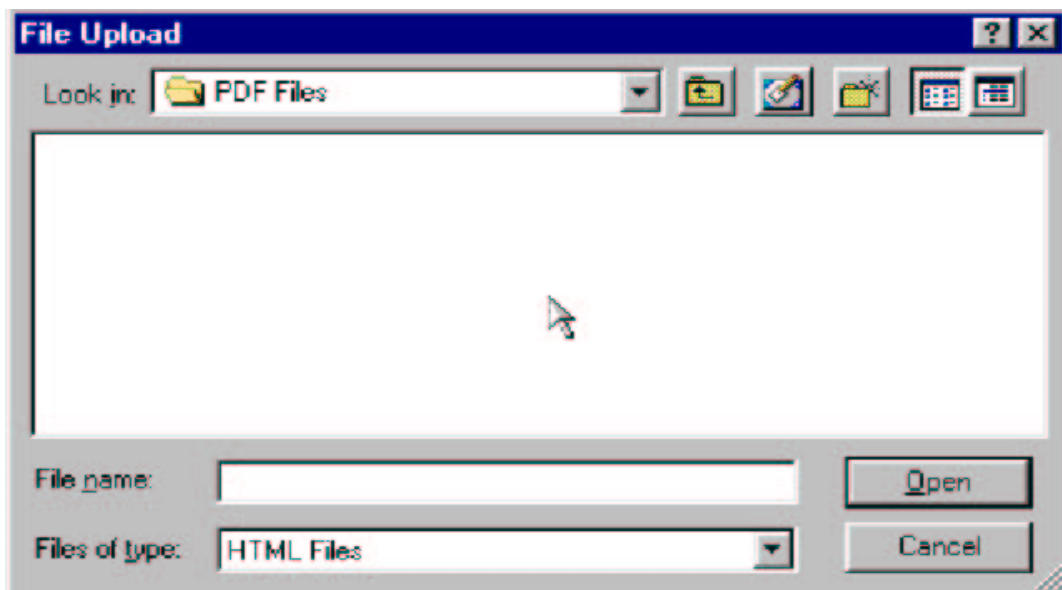
A field is now displayed for locating and entering the PDF file of the document (pleading) you are e-filing. ECF only accepts files in portable document format (PDF). E-filers must attach a PDF-formatted electronic copy of the pleading when prompted by the system.

Select the **pdf** document (for example: C:\199cv501-21.pdf).

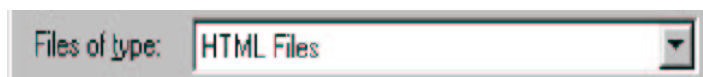
Filename

Attachments to Document: ☒ No ☐ Yes

Click on the [\[Browse\]](#) button to open the file upload screen.



Depending on your browser, you may need to change the **Files of type** from:

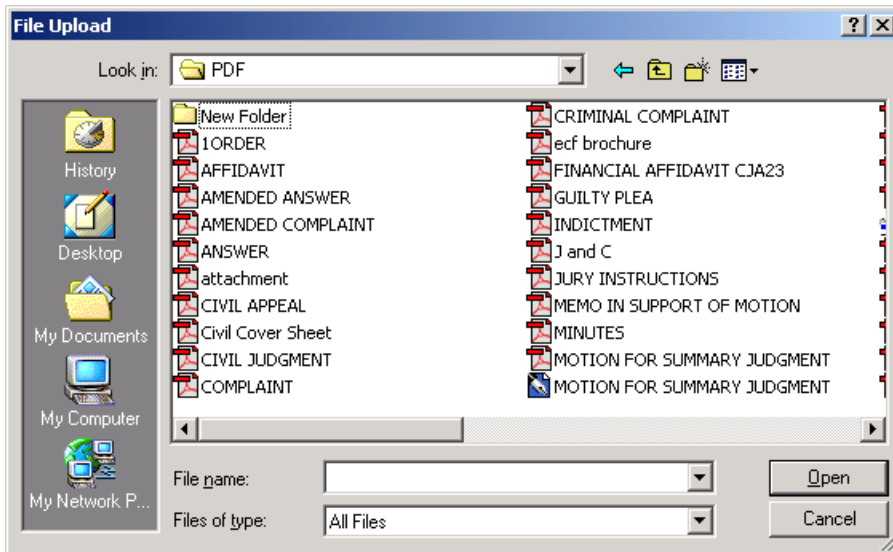


to:

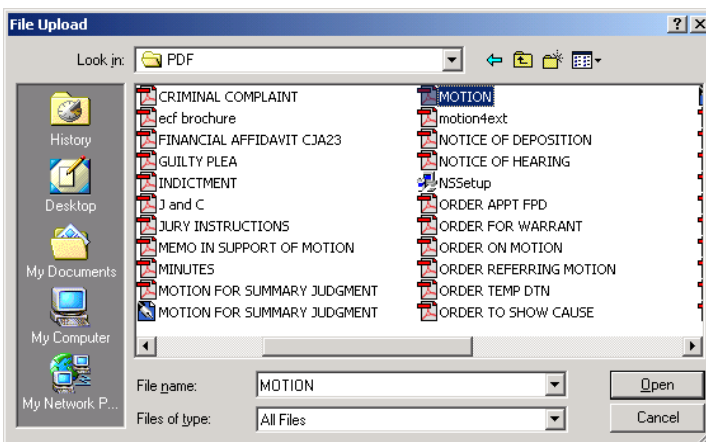


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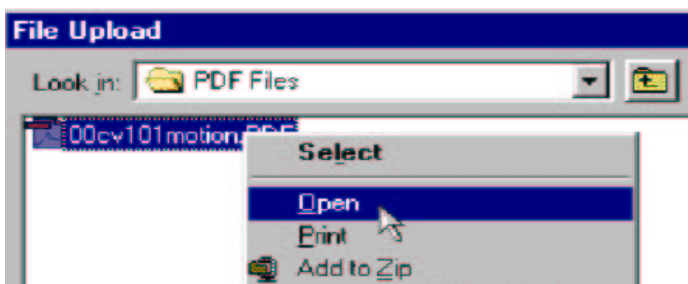
Navigate to the appropriate directory and file name to select the PDF document you wish to file.



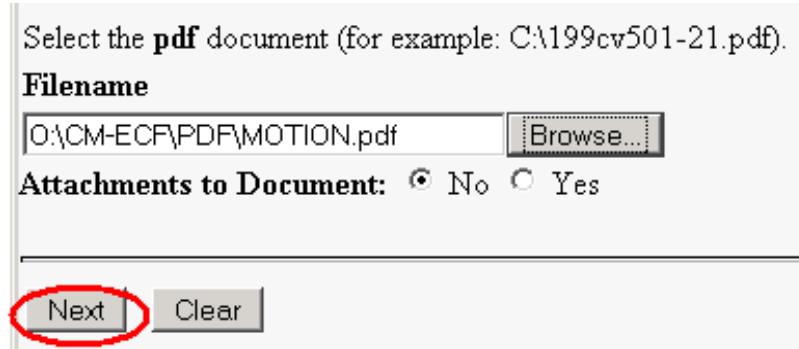
Highlight the file to be copied and uploaded.



Note: In order to verify that you have selected the correct document, right mouse click on the highlighted file name to open a **quick menu** and left mouse click on **[open]** (see below). Adobe Acrobat or Adobe Acrobat Reader will launch and open the PDF document that you selected. You should view it to verify that it is the correct document as documents will not be removed from a case once filed.



Once you have verified the document is correct, close or minimize Adobe Acrobat and click on the **[Open]** button. ECF closes the **“File Upload”** screen and inserts the PDF file name and location (known as the “path”) in the Filename field on the Motions screen. Click **[Next]**.



Select the **pdf** document (for example: C:\199cv501-21.pdf).

Filename

O:\CM-ECF\PDF\MOTION.pdf **Browse...**

Attachments to Document: ☒ No ☐ Yes

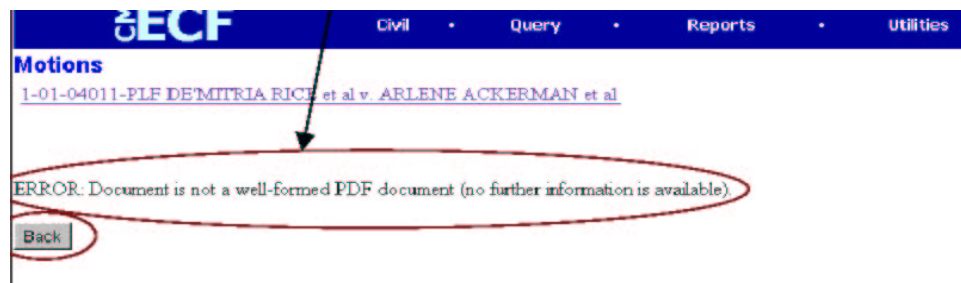
Next **Clear**

If there are no attachments to the motion (attachments may include items filed in support of your pleading if they have been stored in a different file from the main pleading body), click on **[Next]**. A new **Motions** window opens. Go to Step 10, **“Modifying Docket Text”**, to proceed with your filing.

Conversely, if you have attachments to your motion, you will select **[Yes]** on the screen depicted below. Then click **[Next]** to proceed with Step 9, **“Adding Additional Attachments”**.

Error Messages

In the event you selected and highlighted a file that is **not** in PDF format or you have selected a damaged PDF file, ECF will display the following error message after you click on the **[Next]** button.



ECF Civil • Query • Reports • Utilities

Motions

1-01-04011-PLF DEMITRIA RICE et al v. ARLENE ACKERMAN et al

ERROR: Document is not a well-formed PDF document (no further information is available).

Back

If you have selected a file that is not in PDF format, click the **[Back]** button and then **[Browse]** again to find the correct file. Select and highlight the PDF file for your pleading and proceed as before.

Damaged PDF Files

If you have selected a PDF file and have received an error message, it is possible that the PDF file is damaged. To repair a damaged or poorly formatted PDF file, minimize your browser and follow the instructions below:

1. Open the original word processing file.
2. Click on **File** and **Save as...**
3. Give the word processing document a new name (i.e., different from the original name).
4. Convert the new word processing document into PDF.
5. Maximize your browser.
6. Click the **[Back]** button until you return to the file upload screen:

Select the **pdf** document (for example: C:\199cv501-21.pdf).

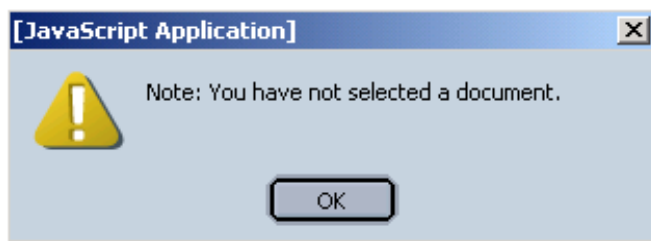
Filename

Attachments to Document: ☒ No ☐ Yes

7. Click the **[Browse]** button and select the new PDF file that you created. Then click **[Next]**.

Failure to Select A Document to File

If you fail to select a document to file with your pleading, ECF will display the error message depicted below:



Clicking on **[OK]** will return you to the **Motions** screen. You cannot proceed without attaching a PDF document.

Step 9: Adding Additional Attachments

If there are no attachments to the motion, click on **[Next]**. Go to Section 10, **"Modify Docket Text"**, to proceed.

If you have Attachments to your motion, you will select **[Yes]** on the screen depicted below by

clicking on the “yes” radio button. Then click [\[Next\]](#).

Select the **pdf** document (for example: C:\199cv501-21.pdf).

Filename

Attachments to Document: ☐ No ☒ Yes

Click on [\[Browse\]](#) to conduct a search for the appropriate attachment(s) as explained in **Section 8**.

Select one or more attachments.

1) Enter the **pdf** document that contains attachment (for example: C:\appendix.pdf).

Filename

2) At your option, select a document type and/or enter a description.

Type **Description**

3) Add the filename to the list box below. If you have more attachments, go back to Step 1. click on the Next button.

Click on the arrow next to the field for attachment “**Type**” to open a drop-down list. Highlight the type of attachment from the displayed selection. Leave this field blank if the options do not apply to the attachment.

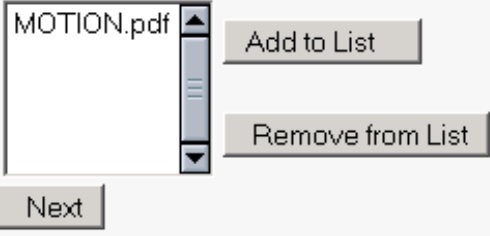
To describe the attachment more fully or if the “**Type**” menu selections do not apply, click in the “**Description**” box and enter information describing the attachment.

Note: Users may use both the **type** and **description** fields when describing an attachment.

All attachments must be described using at least one of these options.

Click [\[Add to List\]](#). The attachment will now appear in the **list box** as shown below.

3) Add the filename to the list box below.
complete, click on the Next button.



The screen will then refresh (or repeat itself) allowing the user to add additional attachments by repeating the sequence above.

Note: To make any correction to the **list box** or to the **type** and **description** fields, the user must highlight the incorrect file in the add box located within section 3 on the screen, click [\[Remove from list\]](#) and repeat the steps above for attaching the correct PDF file.

After adding all of the desired attachments to the **list box**, click on [\[Next\]](#).

Proposed Orders

Proposed orders should not be uploaded in PDF format as attachments. Instead, proposed orders should be saved in word processing format and emailed to the applicable judge's email address. A [list](#) of email addresses may be found on the Court's Internet web site.

NOTE: Chief Judge Hinkle does not require attorneys to submit proposed orders to him via email. The only proposed order required by Chief Judge Hinkle is the Order for Default Judgment provided by the U.S. Attorney's Office.

Attachments that Must be Scanned

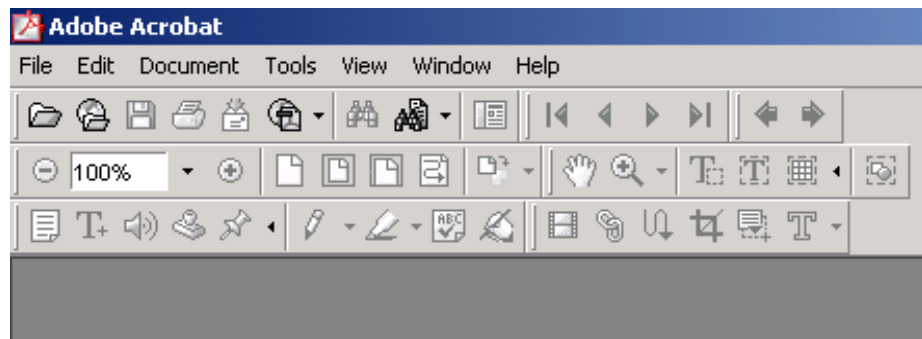
Scanned attachments larger than 5MB in size must be divided into two or more smaller files and attached individually using the method above [\(1 megabyte \(MB\) = 1024](#)

[kilobytes \(KB\)](#)).

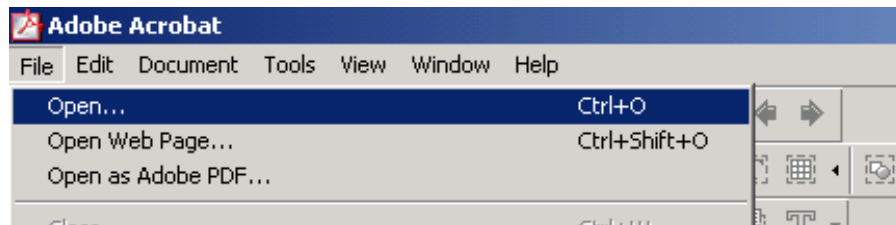
Determining File Sizes

There are two methods for determining the size of a file:

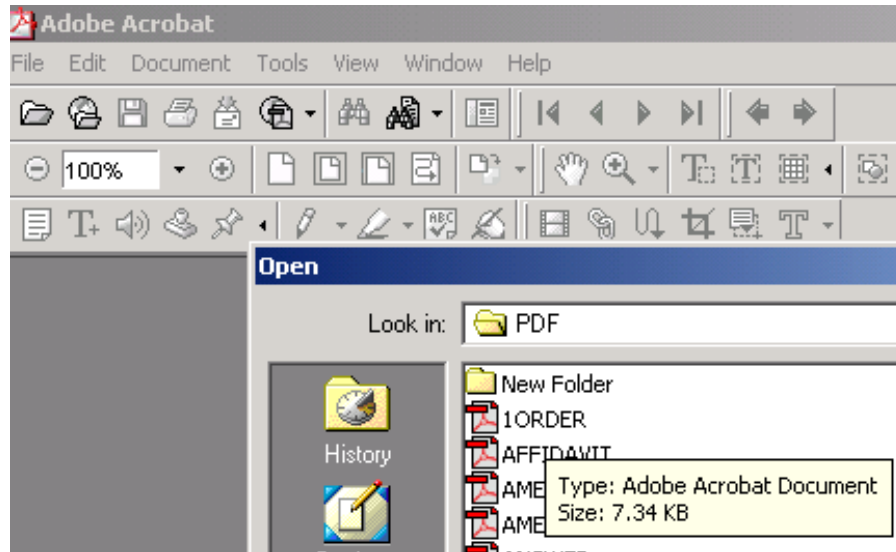
1. Open an application that gives you access to your stored PDF files; this could be Adobe Acrobat Full Package, Adobe Reader, or the Window's "Explore" option. (The "Explore" option may be accessed by right-clicking on the [\[Start\]](#) button and choosing *Explore*.) The following graphics were obtained using Adobe Acrobat's Full Package.



2. Click on *File* and choose *open*.

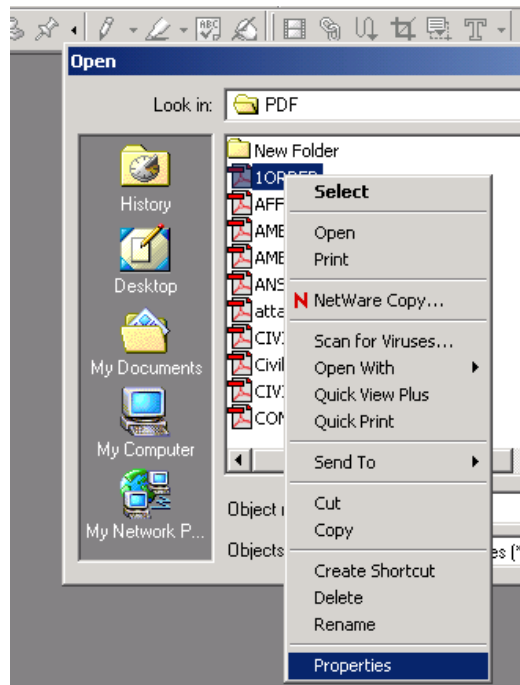


3. Navigate to the folder containing your PDF file(s), open the folder, and hold the mouse over the file name.

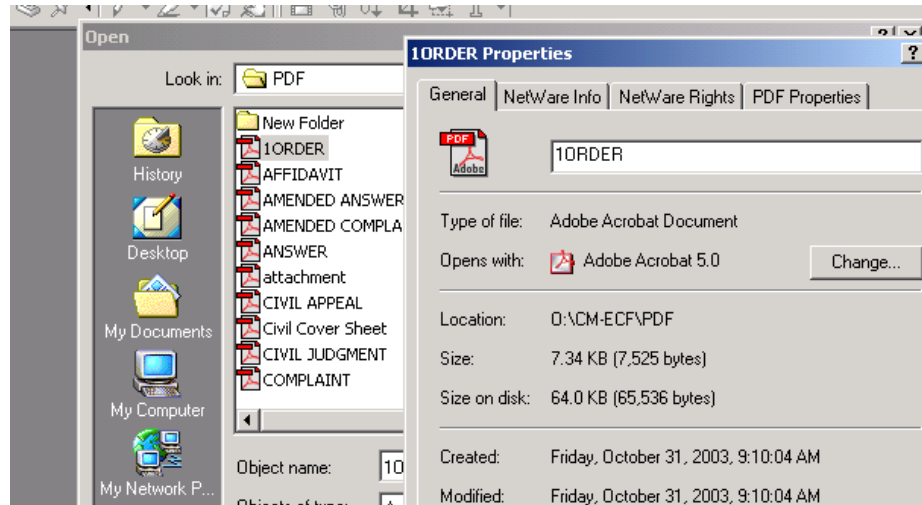


You will notice that Windows provides both "Type" and "Size" information about your file in a pop-up graphic. In this example, the PDF file is approximately 7.34 KB in size; well under the 5 MB limit.

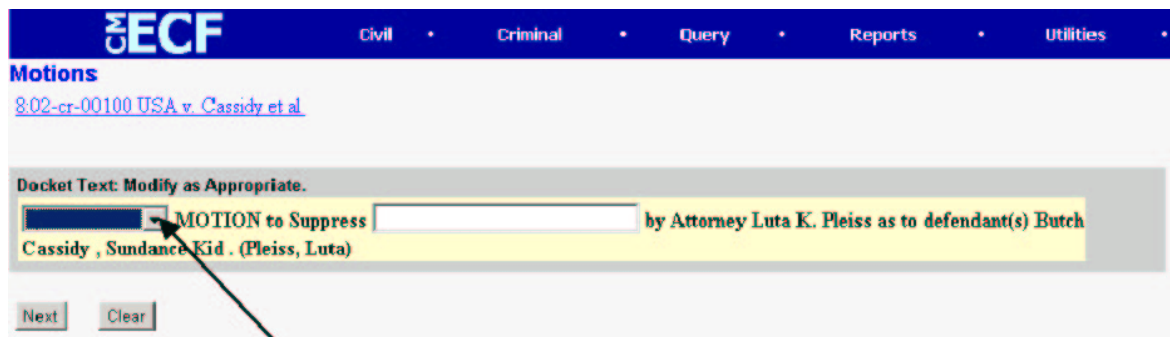
4. The second method includes two additional steps. Once you have navigated to the screen shown in step 3, right-click on the file name and left-click on [*properties*](#).



A pop-up window will appear giving you access to descriptive information about the selected file including its size.



Step 10: Modifying Docket Text



Click on the arrow button shown here to open a modifier drop-down pick list. Select a modifier if appropriate; otherwise, leave this field blank.

For example, you would want to select an option from this list if you plan to file an “Emergency” motion so that the nature of your pleading stands out to the case manager. (It is also recommended that you alert the applicable Clerk’s Office staff by phone regarding any emergency pleadings to be filed so that they may be referred to the judge as soon as possible.)

Note: If the modifiers are not applicable to your pleading, leave this field blank.

Click in the open text area to further describe your pleading. Added text will appear in the final docket text in italics.

Note: This text field should only be used to provide additional information about your pleading to the court. Do not include the title of an additional pleading in this area as the system only recognizes this information as character text and does not have the ability to infer intent.

This area may also be used to describe the situation surrounding your filing. For instance, if you filed a motion and attached the wrong PDF file, you should file the motion *again*, choose **Amended** from the dropdown list, and then add text to indicate that the amended motion is being filed to correct an attachment error.

Amended Motions

The following process may be used to correct either the text or the PDF attachments regarding a previously filed motion, In addition, use these directions to file an Amended Motion:

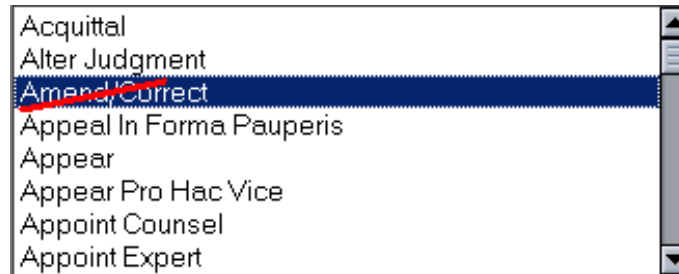
1. Re-file the entire motion (including all attachments) using a standard docket entry found under the **Motions** category. For example, an "Amended Motion to Suppress" would be filed by clicking on **Motions** and highlighting **Suppress** on the screen that appears after you input the case number and the filer information.

Motions and Related Filings

[Motions](#)

[Responses and Replies](#)

Note: Do not use the relief "amend/correct" unless you are requesting permission from the court to amend. This code should only be used if you are filing a "Motion to Amend/Correct Pleading A".



2. Select “Amended: from the drop-down menu when you reach the screen that allows you to preview your docket text.

A screenshot of the ECF (Electronic Case Filing) system interface. At the top is a blue header with the ECF logo and navigation links: Civil, Criminal, Query, Reports, and Utilities. Below the header, the page is titled 'Motions' and shows a case link: '8:02-cr-00100 USA v. Cassidy et al'. The main section is titled 'Docket Text: Modify as Appropriate.' It contains a form with a dropdown menu set to 'Amended', followed by the text 'MOTION to Suppress Evidence retrieved from D by Attorney Luta K. Pleiss as to defendant(s) Butch Cassidy , Sundance Kid . (Pleiss, Luta)'. At the bottom of the form are two buttons: 'Next' and 'Clear'.

Note: Documents other than motions may be amended using the event “Amended Document (NOT motion)”.

Step 11: Submit the Pleading to the Court Through ECF

Click on the [\[Next\]](#) button. The **Attention!!** Screen opens with the complete text for the docket sheet (a.k.a. the docket report):

Docket Text: Final Text

MOTION for Acquittal by CULLEN LORENZO ROLLINS JR as to CULLEN LORENZO ROLLINS JR, MAURICE PERNELL MCKINNEY. (Attachments: # (1))(hitchcock, alfred)

Attention!! Pressing the NEXT button on this screen commits this transaction. You will have no further opportunity to modify this transaction if you continue.

Note: Pressing [\[Next\]](#) at this screen will commit the transaction to the docket.

You can abort the ECF filing or return to previous screens at any time prior to this step by:

- Clicking on any hyperlink located on the **Blue** menu bar *to abort* the current transaction.
- Clicking on the Web Browser [\[Back\]](#) button until *you return to the desired screen where you wish to correct an error*. If you choose this option, you must continue through the entry making appropriate selections on all screens. Use of the forward button will not allow CM/ECF to recognize the correction of errors.

Note: Once you click the [\[Next\]](#) button on the **Attention!!** screen, you cannot go back and modify information.

Correcting Your Entry

If you need to modify information *before* clicking [\[Next\]](#) on the **Attention!!** screen, click the [\[Back\]](#) button on the browser's toolbar until you reach the screen you wish to alter. (See example screen below.)

ECF Civil * Criminal * Query * Reports * Utilities *

Motions

[8:02-cr-00100 USA v. Cassidy et al](#)

Docket Text: Modify as Appropriate.

MOTION to Suppress Evidence retrieved from D by Attorney Luta K. Pleiss as to defendant(s) Butch Cassidy , Sundance Kid . (Pleiss, Luta)

Once an alteration has been made, the user **must** use the navigational buttons on each

screen to proceed with the entry from that point. Clicking the **[forward]** button on the browser's tool bar will not allow the changes to be accepted by the system.

After returning to the **Attention!!** screen and making a final review of the text, click the **[Next]** button to file the pleading. Clicking **[Next]** will also cause the Notice of Filing (NEF) to be created.

Step 12: Notice of Electronic Filing



[Civil](#)
[Criminal](#)
[Query](#)
[Reports](#)
[Utilities](#)
[Logout](#)



Motions

[8:00-cv-00101 Solich v. Stoops](#)

Notice of Electronic Filing

The following transaction was received from Bobby Donnell on 2/7/2002 at 8:22 PM CST

Case Name: Solich v. Stoops
Case Number: [8:00-cv-00101](#)
Document Number: [2](#)

Docket Text:
Third MOTION for Preliminary Injunction to cease and desist by Attorney Bobby Donnell on behalf of Plaintiff Frank Solich (Pleiss, Luta)

The following document(s) are associated with this transaction:

Document description: Main Document
Original filename: C:\WINDOWS\Desktop\CoFC.pdf
Electronic document Stamp:
[STAMP dcecfStamp_ID=1002743010 [Date=2/7/2002] [FileNumber=56249-0] [5cabcat55e74eceb929b886c8e0cc5a5fa41f62d76f2f832ee1204010c1c8011c24da8cb9ac271fe07806426c2a77d3d65992d3891a699512144c5e6b9b880645d]]

8:00-cv-00101 Notice will be electronically mailed to:

8:00-cv-00101 Notice will not be electronically mailed to:

Bobby Donnell
DONNELL, YOUNG LAW FIRM
72 Beacon Street
Boston, MA 02108

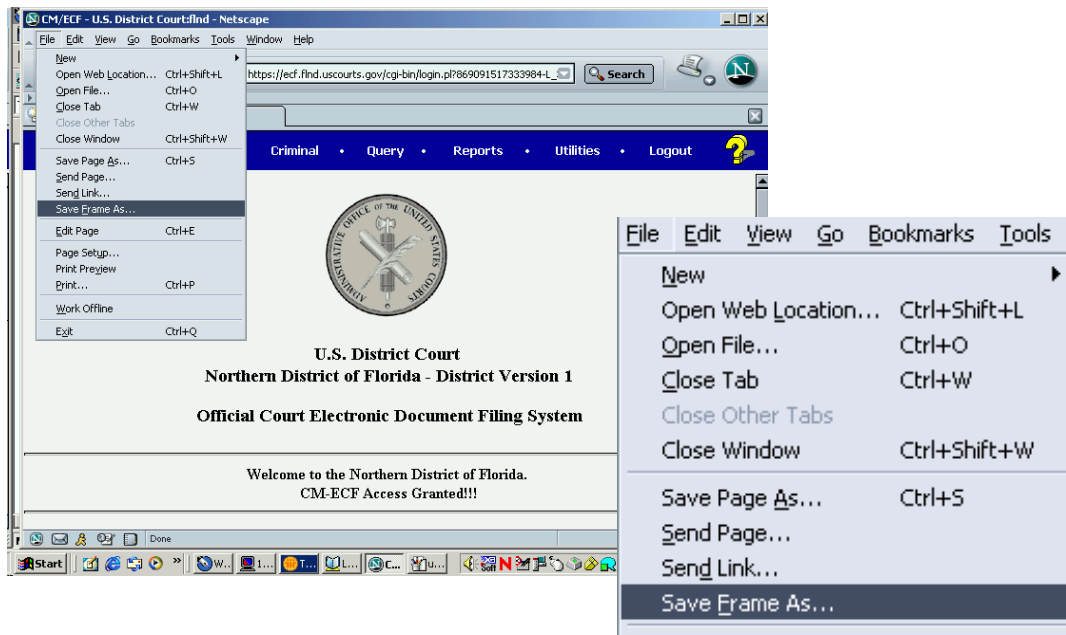
The NEF shown above provides confirmation that ECF has registered your transaction and the pleading is now an official court document. It also displays the date and time of your transaction, the docket entry number that was assigned to your document, and other pertinent case information.

Note: The NEF may always be obtained through the docket report by checking the box labeled **“Include links to Notice of Electronic Filing”**. This is the easiest method for obtaining a copy of the NEF. Otherwise, the NEF can be either saved to your hard drive or printed.

Note the document number on the PDF file contained within your hard drive or network drive for future reference. This can be done by renaming your PDF file using the document number assigned by CM/ECF as part of that new name.

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Printing or Saving the NEF. If you want to print the NEF using either Netscape Navigator or Internet Explorer, click the printer icon located on the browser's toolbar or select **print** from the browser's **file** menu. If you want to save the NEF using Netscape, select **File** on the Netscape menu bar, and choose **Save Frame As...** from the drop-down window to save the NEF to a file on the hard drive of your computer.



ECF will electronically transmit the NEF to attorneys of record in the case who have supplied their e-mail addresses to the Court and have received their NDFL CM/ECF login name and password. The ECF filing report also displays the names and addresses of individuals who will **not** be electronically notified of the filing; all pro se parties fall into this category.

It is the filer's responsibility to ensure that non-ECF parties and attorneys (including newly admitted attorneys and attorneys who have had their NEFs temporarily turned off due to reported technical difficulties) are properly served with your filing. Pro se parties will not have access to e-file and must be served with a hard copy of all filed pleadings unless that party is also an attorney admitted to practice within the Northern District who has previously registered for e-filing.

Note: All filings by attorneys will result in an NEF email that is sent to both the filer and the recipients. If you have e-filed a pleading and have not received a confirmation NEF, then you should take steps to be sure that all parties were in fact served with your e-filing.

When Filings Contain Both Sealed and Public Parts

NDFL CM/ECF Attorney User's Guide

Some filings contain both sealed and unsealed portions (e.g., attorney time records). The ECF system will not allow you to file a sealed document and will not allow any user to file a combination of PDF documents that are both sealed and public within the same entry. Therefore, attorneys are instructed to file the unsealed portion electronically, print the resulting NEF, attach the NEF to the sealed portion of the filing, and submit both the NEF and the sealed documents to the clerk.

<p>Note: Sealed motions and documents must be filed with the Clerk in their entirety during normal business hours.</p>
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